

## CCRB INVESTIGATIVE RECOMMENDATION

|   |   |                           |   |   |  |
|---|---|---------------------------|---|---|--|
| Investigator:<br>Paul Baron                       | Team:<br>Team # 4                           | CCRB Case #:<br>201004595 | <input checked="" type="checkbox"/> Force             | <input checked="" type="checkbox"/> Discourt. | <input type="checkbox"/> U.S.              |
|   |   |                           | <input checked="" type="checkbox"/> Abuse             | <input type="checkbox"/> O.L.                 | <input checked="" type="checkbox"/> Injury |
| Incident Date(s)<br>Tuesday, 03/16/2010 12:53 PM  | Location of Incident:<br>3521 Dekalb Avenue | Precinct:<br>52           | 18 Mo. SOL<br>9/16/2011                               | EO SOL<br>9/16/2011                           |  |
| Date/Time CV Reported<br>Thu, 04/01/2010 11:53 AM | CV Reported At:<br>IAB                      | How CV Reported:<br>Phone | Date/Time Received at CCRB<br>Wed, 04/07/2010 1:41 PM |   |  |

| Complainant/Victim | Type | Home Address |
|--------------------|------|--------------|
|                    |      |              |

| Subject Officer(s)   | Shield | TaxID  | Command |
|----------------------|--------|--------|---------|
| 1. POM Erick Acevedo | 12656  | 901082 | 052 PCT |

| Officer(s)          | Allegation  | Investigator Recommendation |
|---------------------|---|-----------------------------|
| A.POM Erick Acevedo | Discourtesy: PO Erick Acevedo spoke obscenely and/or rudely to § 87(2)(b)     |                             |
| B.POM Erick Acevedo | Force: PO Erick Acevedo used physical force against § 87(2)(b)                |                             |
| C.POM Erick Acevedo | Abuse: PO Erick Acevedo searched the car in which § 87(2)(b) was an occupant. |                             |

## Case Summary

§ 87(2)(b) filed a complaint with IAB on April 1, 2010, which was forwarded to the CCRB on April 7, 2010. She reported that on March 16, 2010 at approximately 12:53 PM, she was approached by officers while sitting in her vehicle, outside of 3521 Dekalb Avenue, in the Bronx. § 87(2)(b) was subsequently arrested by PO Erick Acevedo, assigned to the 52<sup>nd</sup> Precinct, who was also identified as an involved officer by IAB. The following allegation resulted from the officers' actions:

- **Allegation A- Discourtesy:** PO Erick Acevedo spoke obscenely to § 87(2)(b)
- **Allegation B- Force:** PO Erick Acevedo used physical force against § 87(2)(b)
- **Allegation C- Abuse of Authority:** PO Erick Acevedo searched the car in which § 87(2)(b) was an occupant.

## Results of Investigation

### Attempts to Contact Civilians

On April 9, 2010, the undersigned spoke with § 87(2)(b)'s attorney, § 87(2)(b). § 87(2)(b) stated that after speaking with her client, she wanted to withdraw § 87(2)(b)'s complaint because her criminal case was still open and would likely be going to trial. § 87(2)(b) understood the withdrawal procedure and that it would be possible to request that the case get re-opened once § 87(2)(b)'s criminal case is closed.

§ 87(2)(b) made allegations against one of the two officers that were present, but did not provide a description of the subject officer or clarify whether her arresting officer was the subject of her allegations.

## Conclusion

### Investigative Findings and Recommendations

Given that § 87(2)(b) decided to withdraw the complaint on behalf of § 87(2)(b) an investigation of the allegations is impossible. § 87(2)(g)

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Team: \_\_\_\_\_

Investigator: \_\_\_\_\_  
Signature                      Print                      Date

Supervisor: \_\_\_\_\_  
Title/Signature                      Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date

Reviewer: \_\_\_\_\_  
Title/Signature                      Print                      Date